



PUBLIC NOTICE

Federal Communications Commission
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Modification of the Freedom of Information Act Fee Schedule

The Freedom of Information Act requires federal agencies to establish a schedule of fees for the processing of requests for agency records in accordance with fee guidance issued by the Office of Management and Budget (OMB).¹ In 1987, OMB issued its Uniform Freedom of Information Act Fee Schedule and Guidelines.² However, because the FOIA requires that each agency's fees be based upon the direct cost incurred by the agency in providing FOIA services,³ OMB did not provide a unitary, government-wide schedule of fees.

The Commission bases its FOIA Fee Schedule on the grade level of the employee who processes the request. See 47 C.F.R. § 0.467(a)(2). Thus, the Fee Schedule is computed at Step 5 of each grade level, based on the General Schedule effective January 1987 (including 20 percent for personnel benefits). The Commission's rules provide that the Fee Schedule will be modified periodically to correspond with modifications in the rate of pay approved by Congress. Recently, the Commission modified the process for updating the hourly fee schedule for processing FOIA requests as a part of a general updating of its FOIA rules.⁴ Effective April 29, 2009, the Commission deleted the chart found at 47 C.F.R. § 0.467(a)(1) that listed the hourly search and review fees for FCC employees responding to FOIA requests. Instead, pursuant to 47 C.F.R. § 0.467(a)(1) note, the Commission now announces modifications to the hourly fees by Public Notice, and posts the fee chart on its FOIA website, <www.fcc.gov/foia/#feeschedule>. In addition, the Commission reduced the charge for copying records released pursuant to a FOIA request, and specified the cost for records released on a computer disk. Pursuant to 47 C.F.R. § 0.465(b)(2), the copy charge is now \$0.10 per page, and the cost for a computer disk is \$5.00.

Accordingly, by this Public Notice we are modifying the Commission's Freedom of Information Act Fee Schedule. The Commission is revising the schedule of fees required by

¹ 5 U.S.C. § 552(a)(4)(A)(i).

² 52 FR 10012 (March 27, 1987).

³ 5 U.S.C. § 552(a)(4)(A)(iv).

⁴ 74 FR 14073 (Mar. 30, 2009).

Section 0.467 of its rules, 47 C.F.R. Section 0.467,⁵ for the recovery of the full, allowable direct costs of searching for and reviewing agency records requested pursuant to the FOIA and the Commission's rules, 47 C.F.R. §§ 0.460(e) and 0.461. The revisions correspond to modifications in the rate of pay approved by Congress for 2009.

The current FOIA Fee Schedule is as follows. Please note that these fees will be modified periodically to correspond with modifications in the rate of pay approved by Congress.

Grade	Hourly Fee
GS-1	14.06
GS-2	15.31
GS-3	17.26
GS-4	19.38
GS-5	21.68
GS-6	24.17
GS-7	26.86
GS-8	29.74
GS-9	32.84
GS-10	36.18
GS-11	39.74
GS-12	47.64
GS-13	56.65
GS-14	66.94
GS-15	78.74

The Fee Schedule contained herein is effective upon release of this Public Notice in accordance with 47 C.F.R. § 0.467(a)(1) note.

For further information, please contact Shoko B. Hair, FOIA Liaison, Office of the Managing Director, Performance Evaluation and Records Management at (202) 418-1379.

⁵ These fees may be restricted or waived in accordance with 5 U.S.C. § 552(a)(4)(A); 47 C.F.R. § 0.470(e).